

BILL NO. G-69-04-14

GENERAL ORDINANCE NO. G- 54-69

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of portions of Delaware Avenue and Forest Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of portions of Delaware Avenue and Forest Avenue by JEHL HOMES CORPORATION, having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on March 24, 1969 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes, 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public streets located in Fort Wayne, Allen County, Indiana, to-wit:

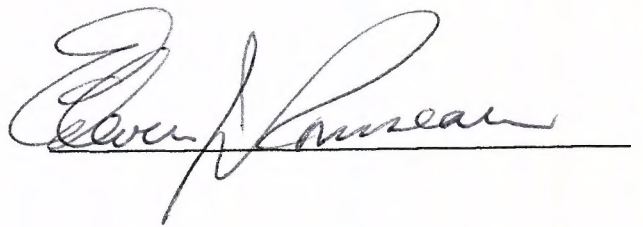
Delaware Avenue, from the East platted and dedicated right-of-way line of Inwood Drive, East to the East line of Delta Heights Addition, the portion of said street being 50 feet in width and 140 feet in length all as shown on the plat of Delta Heights Addition to the City of Fort Wayne, as recorded in Plat Record 11, page 85 of the Records in the office of the Recorder of Allen County, Indiana; and

Forest Avenue, from the East platted and dedicated right-of-way of Inwood Drive, East to the East line of Delta Heights Addition, this portion of said street being 50 feet in width and 140 feet in length, all as shown on the plat of Delta Heights Addition to the City of Fort Wayne, as recorded in Plat Record 11, page 85 of the Records in the office of the Recorder of Allen County, Indiana.

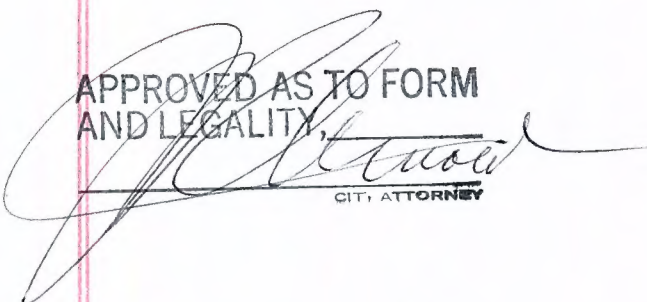
SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this

Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

A handwritten signature in cursive script, likely of the Mayor, written over a horizontal line.

APPROVED AS TO FORM
AND LEGALITY,

A handwritten signature in cursive script, likely of the City Attorney, written over a horizontal line.
CITY ATTORNEY

RESOLUTION

WHEREAS, Jehl Homes Corporation, an Indiana corporation, and Thomas P. Jehl, and other abutting owners have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public streets located in an unincorporated area contiguous to the corporate limits of the City of Fort Wayne, Indiana, described as follows, to-wit:

Delaware Avenue, from the East platted and dedicated right-of-way line of Inwood Drive, East to the East line of Delta Heights Addition, the portion of said street being 50 feet in width and 140 feet in length all as shown on the plat of Delta Heights Addition to the City of Fort Wayne, as recorded in Plat Record 11, page 85 of the Records in the office of the Recorder of Allen County, Indiana; and

Forest Avenue, from the East platted and dedicated right-of-way of Inwood Drive, East to the East line of Delta Heights Addition, this portion of said street being 50 feet in width and 140 feet in length, all as shown on the plat of Delta Heights Addition to the City of Fort Wayne, as recorded in Plat Record 11, page 85 of the Records in the office of the Recorder of Allen County, Indiana,

all in accordance with the terms of Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes Annotated, Section 53-734, 53-744 and 53-765); and

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and

WHEREAS, said public hearing was held on the 24th day of March, 1969, at 7:30 o'clock P. M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said above

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public streets hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana, and

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the Board of Public Works for their action thereon.

I, Arthur C. Richard, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and complete copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on the 24th day of ^{MARCH}~~February~~, 1969, and as the same appears of record in the official records of said Plan Commission.

Arthur C. Richard
President Fort Wayne City Plan Commission

This instrument was prepared by William D. Swift of Higgins & Swift, Attorneys



Bill No. G-69-04-14

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of portions of
Delaware Avenue and Forest Avenue,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

EDWIN J. ROUSSEAU, Chairman

JACK K. DUNIFON, Vice-Chairman

JOHN H. ROBINSON

CELIA ANN FAY

WILLIAM K. GEAKE

[Handwritten signatures: Edwin J. Rousseau, Jack K. Dunifon, John H. Robinson, Celia Ann Fay, William K. Geake]

CONCURRED IN

DATE 4-22-69 FUAD G. DONAHOOM, CITY CLERK

Read the first time in full and on motion by Rousseau seconded by
Steigerwald and duly adopted, read the second time by title and referred
to the (Committee on) Regulations (and to the City Plan
~~Commission for recommendation~~) (and ~~Public Hearing to be held after due legal notice,~~
~~at the Council Chambers, City Hall, Fort Wayne, Indiana, on~~
the _____ day of _____ 196____, at _____ o'clock
~~P.M., E.S.T.~~

Date: 4-8-69

Frank J. Bonachoon
City Clerk

Read the third time in full and on motion by Rousseau
seconded by Robinson and duly adopted, placed on its passage.
Passed (~~LOST~~) by the following vote:

AYES	<u>7</u>	NAYS	<u>0</u>	ABSTAINED	____	ABSENT	____	to-wit:
Adams	<u>✓</u>							
Dunifon	<u>✓</u>							
Fay	<u>✓</u>							
Geake	<u>✓</u>							
Nuckols	<u>✓</u>							
Robinson	<u>✓</u>							
Rousseau	<u>✓</u>							
Steigerwald	<u>✓</u>							
Tipton	<u>✓</u>							

Date 4-22-69

Frank J. Bonachoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 9-54-69

on the 22nd day of April, 1969.

ATTEST: (SEAL)

Frank J. Bonachoon
City Clerk

Herbert G. Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day
of April, 1969 at the hour of 8:30 o'clock A.M., E.S.T.

Frank J. Bonachoon
City Clerk

Approved and signed by me this 25th day of April, 1969,
at the hour of 9:11 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor